



*House of Representatives
Governmental Affairs Committee
Primary Elections Investigation*

**Chairman Shaw Blackmon
Representative, 146th District**

Vice Chairman Todd Jones
Representative, 25th District

Secretary Bruce Williamson
Representative, 115th District

The Honorable Rhonda Burnough
Representative, 77th District

The Honorable J. Collins
Representative, 68th District

The Honorable Barry Fleming
Representative, 121st District

The Honorable Micah Gravley
Representative, 67th District

The Honorable Joseph Gullett
Representative, 19th District

The Honorable Eddie Lumsden
Representative, 12th District

The Honorable Bee Nguyen
Representative, 89th District

The Honorable Mary Margaret Oliver
Representative, 82nd District

The Honorable Alan Powell
Representative, 32nd District

The Honorable Renitta Shannon
Representative, 84th District

The Honorable Darlene K. Taylor
Representative, 173rd District

The Honorable Robert Trammell
Representative, 132nd District

The Honorable Scot Turner
Representative, 21st District

The Honorable Mary Frances Williams
Representative, 37th District

The Honorable Rick Williams
Representative, 145th District

2020

Prepared by the House Budget and Research Office

Introduction

Following the primary elections that took place in Georgia on Tuesday, June 9, 2020, Speaker of the House of Representatives David Ralston tasked the House Governmental Affairs Committee with investigating the primary election process and the concerns raised with the election day proceedings. The committee held four public hearings at the State Capitol and via Zoom video conferencing on the following dates in 2020: June 18, June 23, August 10, and August 14.

Findings

Through live testimony and public comments submitted by email from poll workers, poll managers, local election officials, Secretary of State officials, Georgia House of Representatives members, and other individuals from across the state, the following issues emerged as the primary factors impacting the elections on June 9, 2020:

Voting by Absentee Ballot

Following the mass mailing of absentee ballot applications by the Secretary of State's office, over 1.6 million Georgians applied for absentee ballots. However, many voters reported that they did not receive their ballots before election day, if at all. The committee heard reports of multiple applications arriving for the same voter, an application sent to a deceased voter, and applications and ballots sent to incorrect addresses.

The process of canceling the absentee ballots for voters who arrived at the polls for in-person voting led to long lines and long waits for many polling locations. Additionally, the processing of the applications and scanning of the completed ballots were noted as requiring significant commitments of time and resources from local elections workers.

New Voting Machines and Technology Issues

From counties throughout the state, the committee heard complaints of printer failures, issues with ballot scanners, and general malfunctions of the new voting equipment. Specifically, the set up and take down of equipment, troubleshooting issues with the machines, problems with login credentials, and a lack of clear instruction for machine usage emerged as the most reported complaints.

The committee heard testimony stating that poll workers received inadequate training on operating the new voting machines. This lack of training on the machines, paired with equipment malfunction, were cited as reasons for long lines and long wait times for voters in polling locations across the state. Additionally, the "My Voter Page" voter information portal on the Secretary of State's website did not serve as a reliable source of information for voters on election day, leading to poll location confusion and issues with absentee ballot status.

COVID-19

Due to the pandemic that was taking place during the primary elections, fewer poll workers and fewer possible polling locations were available. Concerns regarding COVID-19 safety measures also contributed to less

training opportunities and longer waits on election day. Many of the issues caused by COVID-19 served to compound the other delays and problems that were reported from election day.

Suggestions

The committee heard numerous recommendations and ideas already under consideration by the Secretary of State, the State Board of Elections, and/or local election officials.

Based on the testimony and presentations submitted throughout the investigative process, the committee further suggests the following for consideration in preparation of the November general elections:

- In order to ensure proper preparation for any potential outcomes, local election officials must adopt an election administration plan in advance of each election day which would include contingency plans, resource allocation, and turnout expectations;
- In order to improve poll worker training, local election officials should coordinate with the Secretary of State's Office and the voting machine vendors to ensure accurate and appropriate training standards are in place. Local election officials should increase the emphasis on training and poll worker recruitment;
- In order to ensure each polling site is appropriate for the new voting machine demands, local election boards must obtain certification of adequate electrical capacity at each polling site;
- In order to lessen the burden on local election officials on election day, allow absentee ballot processing to begin at the start of early voting;
- In an effort to address the absentee ballot cancellation backlogs on election day, the Secretary of State's Office must implement an accurate absentee/vote-by-mail ballot tracking program so that voters are informed of their application or ballot status; and
- In preparation of potential emergency situations or machine malfunction, local election officials must ensure paper ballot availability at the minimum of ten percent of active voters.

Conclusion

Much of the confusion from the primary elections was centered around the impact of COVID-19, first-time use of new voting equipment in statewide elections, and the mass increase in absentee mail ballots. However, certain findings uncovered during the investigation of the June 9, 2020 primary revealed issues that could extend beyond Georgia's November general elections. Testimony revealed potential modifications that require legislative and/or administrative action and deserve further scrutiny.

While the Committee's task was strictly related to the aforementioned June 9th irregularities, some areas worthy of further review are as follows:

- Exploration of best practices in other states;
- Codifying of emergency powers related to elections; and
- Audit/evaluation of the partnership, communication, and duties distributed among the Office of the Secretary of State, the State Board of Elections, and local county boards of election.

Appendix

Meeting Minutes

First Meeting

Date: June 18, 2020

Location: 506 Coverdell Legislative Office Building, Atlanta, Georgia

Committee Members Present: Chairman Shaw Blackmon; Representative Rhonda Burnough; Representative J. Collins; Representative Barry Fleming; Representative Joseph Gullett; Representative Todd Jones; Representative Bee Nguyen; Representative Mary Margaret Oliver; Representative Alan Powell; Representative Renitta Shannon; Representative Darlene Taylor; Representative Robert Trammell; Representative Scot Turner; Representative Mary Frances Williams; Representative Rick Williams; and Representative Bruce Williamson

The committee invited poll workers, elections staff, and individuals from across the state to provide insight on the primary election that took place on Tuesday, June 9, 2020. The invited speakers provided testimony in-person and via Zoom video conferencing. The following speakers provided testimony to the committee: Michelle Chaffee, poll observer, Greene County; Phi Nguyen, poll observer, Gwinnett County; Sophie Shepherd and Joanna Shepherd, poll observers, Chatham County; Danielle Wynn, poll observer, Floyd County; Jacoria Borders, poll worker, Fulton County; Carol Beckham, poll manager, Carroll County; Venita Epps, dual poll manager, Fulton County; Betsy Kramer, poll manager, Fulton County; Suzi Voyles, poll manager, Fulton County; Gordon Austin, citizen, Carroll County; Halsey Knapp, attorney, Fulton County; Jennifer Akins, assistant supervisor of elections, Cherokee County; Joseph Kirk, elections supervisor, Bartow County; Debra Presswood and Andrew Holland, registration and elections, Houston County; Baoky Vu, Board of Elections member, DeKalb County; and Lori Wood, Board of Elections chair, Walton County.

Second Meeting

Date: June 23, 2020

Location: 606 Coverdell Legislative Office Building, Atlanta, Georgia

Committee Members Present: Chairman Shaw Blackmon; Representative Rhonda Burnough; Representative J. Collins; Representative Micah Gravley; Representative Joseph Gullett; Representative Eddie Lumsden; Representative Bee Nguyen; Representative Mary Margaret Oliver; Representative Alan Powell; Representative Renitta Shannon; Representative Darlene Taylor; Representative Robert Trammell; Representative Scot Turner; Representative Mary Frances Williams; Representative Rick Williams; and Representative Bruce Williamson

The committee invited representatives from the Office of the Secretary of State and several House of Representative members to provide insight on the primary election that took place on Tuesday, June 9, 2020. The following speakers provided testimony to the committee: Secretary of State Brad Raffensperger; Gabriel Sterling, statewide implementation manager, Office of the Secretary of State; Chris Harvey, elections division director, Office of the Secretary of State; State Representative Katie Dempsey; and State Representative Jasmine Clark.

Third Meeting

Date: August 10, 2020

Location: 606 Coverdell Legislative Office Building, Atlanta, Georgia

Committee Members Present: Chairman Shaw Blackmon; Representative Rhonda Burnough; Representative Barry Fleming; Representative Micah Gravley; Representative Joseph Gullett; Representative Todd Jones; Representative Eddie Lumsden; Representative Bee Nguyen; Representative Mary Margaret Oliver; Representative Alan Powell; Representative Renitta Shannon; Representative Darlene Taylor; Representative Robert Trammell; Representative Scot Turner; Representative Mary Frances Williams; and Representative Bruce Williamson

The committee invited the following speaker to offer perspective, provide nationwide comparisons, and share relevant resources: Director of Elections and Redistricting Wendy Underhill, National Conference of State Legislatures.

Final Meeting

Date: August 14, 2020

Location: Virtual meeting via Zoom video conferencing

Committee Members Present: Chairman Shaw Blackmon; Representative Rhonda Burnough; Representative J. Collins; Representative Micah Gravley; Representative Joseph Gullett; Representative Bee Nguyen; Representative Mary Margaret Oliver; Representative Alan Powell; Representative Renitta Shannon; Representative Darlene Taylor; Representative Robert Trammell; Representative Scot Turner; Representative Rick Williams; and Representative Bruce Williamson

For the final hearing, the committee again invited representatives from the Office of the Secretary of State and several additional speakers to answer questions and address concerns that were presented by the committee. The following speakers addressed the committee: Gabriel Sterling, statewide implementation manager, Office of the Secretary of State; Chris Harvey, elections division director, Office of the Secretary of State; Ryan Germany, general counsel, Office of the Secretary of State; State Representative David Dreyer; and State Representative Patty Bentley.